

# Exhibit 9

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

WAYMO LLC,

Plaintiff,

vs.

Case No.

UBER TECHNOLOGIES, INC.; 3:17-cv-00939-WHA

OTTOMOTTO LLC; OTTO TRUCKING,

INC.,

Defendants.

-----/

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

VIDEOTAPED DEPOSITION OF ANTHONY LEVANDOWSKI

SAN FRANCISCO, CALIFORNIA

TUESDAY, AUGUST 22, 2017

BY: ANDREA M. IGNACIO, CSR, RPR, CRR, CCRR, CLR ~

CSR LICENSE NO. 9830

JOB NO. 2684906

PAGES 1 - 302

Page 1

1 my counsel, I respectfully decline to answer, and I 14:17  
2 assert the rights guaranteed to me under the Fifth 14:17  
3 Amendment to the Constitution of the United States. 14:17

4 MR. PERLSON: Q. And is it correct that, 14:17  
5 while you were at Google, you -- let me start over 14:17  
6 again. 14:17

7 And is it correct that, while you were at 14:17  
8 Uber, you used information obtained from Google 14:17  
9 regarding its testing scenarios for midrange and 14:17  
10 long-range LiDAR? 14:17

11 MS. DUNN: Form. 14:17

12 MR. RADKE: Join. 14:17

13 THE WITNESS: On the advice and direction of 14:17  
14 my counsel, I respectfully decline to answer, and I 14:17  
15 assert the rights guaranteed to me under the Fifth 14:17  
16 Amendment to the Constitution of the United States. 14:17

17 MR. PERLSON: Q. Do you know what Odin Wave 14:17  
18 is? 14:21

19 A On the advice and direction of my counsel, I 14:21  
20 respectfully decline to answer, and I assert the 14:21  
21 rights guaranteed to me under the Fifth Amendment to 14:21  
22 the Constitution of the United States. 14:21

23 Q While you were employed by Waymo, you owned 14:21  
24 and operated a LiDAR development company called 14:21  
25 Odin Wave; isn't that right? 14:21

1           A    On the advice and direction of my counsel, I           14:21  
2   respectfully decline to answer, and I assert the           14:21  
3   rights guaranteed to me under the Fifth Amendment to           14:21  
4   the Constitution of the United States.           14:21

5           Q    The LiDAR systems at Odin Wave, they           14:21  
6   incorporated fiber laser technology; didn't they?           14:21

7           MS. DUNN:   Form.           14:21

8           MR. RADKE:   Join.           14:21

9           THE WITNESS:   On the advice and direction of           14:21  
10   my counsel, I respectfully decline to answer, and I           14:21  
11   assert the rights guaranteed to me under the Fifth           14:21  
12   Amendment to the Constitution of the United States.           14:21

13           MR. PERLSON:   Q.   At some point, Odin -- the           14:21  
14   name of Odin Wave changed to Tyto Lidar.           14:21

15           Do you recall that?           14:22

16           A    On the advice and direction of my counsel, I           14:22  
17   respectfully decline to answer, and I assert the           14:22  
18   rights guaranteed to me under the Fifth Amendment to           14:22  
19   the Constitution of the United States.           14:22

20           Q    Why did the name change from Odin Wave to           14:22  
21   Tyto Lidar?           14:22

22           A    On the advice and direction of my counsel, I           14:22  
23   respectfully decline to answer, and I assert the           14:22  
24   rights guaranteed to me under the Fifth Amendment to           14:22  
25   the Constitution of the United States.           14:22

1 THE WITNESS: On the advice and direction of 14:28  
2 my counsel, I respectfully decline to answer, and I 14:28  
3 assert the rights guaranteed to me under the Fifth 14:28  
4 Amendment to the Constitution of the United States. 14:28

5 MR. PERLSON: Q. When Uber acquired Otto, 14:28  
6 part of the deal was for Otto to acquire Tyto Lidar; 14:28  
7 right? 14:28

8 MS. DUNN: Form. 14:28

9 MR. RADKE: Join. 14:28

10 THE WITNESS: On the advice and direction of 14:28  
11 my counsel, I respectfully decline to answer, and I 14:28  
12 assert the rights guaranteed to me under the Fifth 14:28  
13 Amendment to the Constitution of the United States. 14:28

14 MR. PERLSON: Q. Well, the informa- -- 14:28  
15 so let me start over. 14:28

16 Otto bought Tyto Lidar; is that right? 14:28

17 A On the advice and direction of my counsel, I 14:28  
18 respectfully decline to answer, and I assert the 14:28  
19 rights guaranteed to me under the Fifth Amendment to 14:28  
20 the Constitution of the United States. 14:29

21 Q So, if you provided confidential information 14:29  
22 you learned while you were at Google to Tyto, and then 14:29  
23 Tyto was bought by Otto, and then Otto was eventually 14:29  
24 bought by Uber, that allowed the information you 14:29  
25 learned at Google to make its way to Uber? 14:29

1 MR. RADKE: Join. 14:31

2 THE WITNESS: On the advice and direction of 14:31

3 my counsel, I respectfully decline to answer, and I 14:31

4 assert the rights guaranteed to me under the Fifth 14:31

5 Amendment to the Constitution of the United States. 14:32

6 MR. PERLSON: Q. So, getting back to Tyto 14:32

7 again, Ottomotto acquired most of Tyto LiDAR's assets 14:32

8 in May of 2016; is that right? 14:32

9 A On the advice -- 14:32

10 MS. DUNN: Form. 14:32

11 THE WITNESS: -- and direction -- on the 14:32

12 advice and direction of my counsel, I respectfully 14:32

13 decline to answer, and I assert the rights guaranteed 14:32

14 to me under the Fifth Amendment to the Constitution of 14:32

15 the United States. 14:32

16 MR. PERLSON: Mark that. 14:32

17 THE REPORTER: 633. 14:33

18 (Document marked Exhibit 633 14:33

19 for identification.) 14:33

20 MR. PERLSON: You've been marked -- you've 14:33

21 been handed what's been marked as 633 -- 14:33

22 MS. DUNN: Excuse me. Sorry. 14:33

23 MR. PERLSON: -- '47823 to '29. 14:33

24 Q Do you recognize this as the agreement to -- 14:33

25 between Otto and Tyto to -- and Tyto to sell assets of 14:33

1 Tyto to Otto? 14:33

2 A The title of the document says: 14:33

3 "Bill of Sale and Assignment and Assumption 14:33

4 Agreements." 14:33

5 Q Do you recognize this document? 14:33

6 A On the advice and direction of my counsel, I 14:33

7 respectfully decline to answer, and I assert the 14:33

8 rights guaranteed to me under the Fifth Amendment to 14:33

9 the Constitution of the United States. 14:33

10 Q Do you know what the terms of the sale were 14:33

11 of assets from Tyto to Otto? 14:33

12 A On the advice and direction of my counsel, I 14:33

13 respectfully decline to answer, and I assert the 14:33

14 rights guaranteed to me under the Fifth Amendment to 14:33

15 the Constitution of the United States. 14:34

16 Q Did you own Tyto Lidar through a number of 14:34

17 shell companies? 14:34

18 MS. DUNN: Form. 14:34

19 MR. RADKE: Join. 14:34

20 THE WITNESS: On the advice and direction of 14:34

21 my counsel, I respectfully decline to answer, and I 14:34

22 assert the rights guaranteed to me under the Fifth 14:34

23 Amendment to the Constitution of the United States. 14:34

24 MR. PERLSON: Q. Did you control Tyto Lidar 14:34

25 through shell companies? 14:34

1 MS. DUNN: Form. 14:34  
2 MR. RADKE: Join. 14:34  
3 THE WITNESS: On the advice and direction of 14:34  
4 my counsel, I respectfully decline to answer and I 14:34  
5 assert the rights guaranteed to me under the Fifth 14:34  
6 Amendment to the Constitution of the United States. 14:34  
7 THE REPORTER: 634. 14:35  
8 (Document marked Exhibit 634 14:35  
9 for identification.) 14:35  
10 MR. PERLSON: Handing you what's been marked 14:35  
11 as Exhibit 634, UBER-47857 through '61. 14:35  
12 Q Do you recognize Exhibit 634? 14:35  
13 A It's titled -- it's -- on the advice of my -- 14:35  
14 and direction of my counsel, I respectfully decline to 14:35  
15 answer, and I assert the rights guaranteed to me under 14:35  
16 the Fifth Amendment to the Constitution of the United 14:35  
17 States. 14:35  
18 Q Well, you see that the title of the document 14:35  
19 is: 14:35  
20 "Operating Agreement of Tyto Lidar, LLC." 14:35  
21 A I do see that, yes. 14:35  
22 Q And it says that this operating agreement -- 14:35  
23 this agreement, dated as of February 15, 2014, is 14:35  
24 declared to be the operating agreement of Tyto Lidar, 14:35  
25 LLC, the company, by Sandstone Group, a limited -- 14:36



1 LLC, a limited liability company, its sole member -- 14:36

2 the sole member. 14:36

3 Do you see that? 14:36

4 A Yes. 14:36

5 Q [REDACTED] 14:36

6 A On the advice and direction of my counsel, I 14:36

7 respectfully decline to answer, and I assert the 14:36

8 rights guaranteed to me under the Fifth Amendment to 14:36

9 the Constitution of the United States. 14:36

10 Q And was this Tyto Lidar, LLC -- sorry. 14:36

11 [REDACTED] [REDACTED]

[REDACTED] 14:36

13 A On the advice and direction of my counsel, I 14:36

14 respectfully decline to answer, and I assert the 14:36

15 rights guaranteed to me under the Fifth Amendment to 14:36

16 the Constitution of the United States. 14:36

17 Q [REDACTED] [REDACTED]

[REDACTED] 14:37

19 A On the advice and direction of my counsel, I 14:37

20 respectfully decline to answer, and I assert the 14:37

21 rights guaranteed to me under the Fifth Amendment to 14:37

22 the Constitution of the United States. 14:37

23 Q [REDACTED] [REDACTED]

[REDACTED] 14:37

25 A On the advice and direction of my counsel, I 14:37

1 respectfully decline to answer, and I assert the 14:37  
2 rights guaranteed to me under the Fifth Amendment to 14:37  
3 the Constitution of the United States. 14:38

4 Q Have you heard of -- ever heard of the 14:38  
5 [REDACTED] 14:38

6 A On the advice and direction of my counsel, I 14:38  
7 respectfully decline to answer, and I assert the 14:38  
8 rights guaranteed to me under the Fifth Amendment to 14:38  
9 the Constitution of the United States. 14:38

10 THE REPORTER: 635. 14:38

11 MR. PERLSON: Sorry. 14:38

12 MR. EHRLICH: It's okay. 14:38

13 (Document marked Exhibit 635 14:38

14 for identification.) 14:39

15 MR. PERLSON: Sorry. What is this? 635? 14:39

16 THE REPORTER: Yes. 14:39

17 MR. PERLSON: Q. Do you recognize -- so 14:39

18 Exhibit 635 is -- it's labeled [REDACTED] [REDACTED]

[REDACTED] 14:39

20 Do you see that the title of it says: 14:39

21 [REDACTED] [REDACTED]

[REDACTED] 14:39

23 A Yes. 14:39

24 Q Okay. And it's -- you see it says: 14:39

25 [REDACTED] 14:39

1 [REDACTED] [REDACTED]  
2 [REDACTED] 14:39  
3 Do you see that? 14:40  
4 A I see it. 14:40  
5 Q Okay. And, if you'll look on -- I guess it's 14:40  
6 [REDACTED] 14:40  
7 A (Witness complies.) 14:40  
8 Q That's your signature? 14:40  
9 A Yes. 14:40  
10 Q What -- [REDACTED] [REDACTED]  
11 [REDACTED] 14:40  
12 A On the advice and direction of my counsel, I 14:40  
13 respectfully decline to answer, and I assert the 14:40  
14 rights guaranteed to me under the Fifth Amendment to 14:40  
15 the Constitution of the United States. 14:40  
16 Q Do you see that, on the -- the last couple of 14:40  
17 pages, [REDACTED] [REDACTED]  
18 [REDACTED] 14:41  
19 A Yep. 14:41  
20 Q So, was this [REDACTED] 14:41  
21 A On the advice and direction of my counsel, I 14:41  
22 respectfully decline to answer, and I assert the 14:41  
23 rights guaranteed to me under the Fifth Amendment to 14:41  
24 the Constitution of the United States. 14:41  
25 Q Was this [REDACTED] 14:41

1 [REDACTED] 14:41

2 MS. DUNN: Form. 14:41

3 THE WITNESS: On the advice and direction of 14:41

4 my counsel, I respectfully decline to answer, and I 14:41

5 assert the rights guaranteed to me under the Fifth 14:41

6 Amendment to the Constitution of the United States. 14:41

7 MR. PERLSON: Q. Are you aware of any other 14:41

8 reason to [REDACTED] 14:41

9 MS. DUNN: Form. 14:41

10 THE WITNESS: On the advice and direction of 14:41

11 my counsel, I respectfully decline to answer, and I 14:41

12 assert the rights guaranteed to me under the Fifth 14:41

13 Amendment to the Constitution of the United States. 14:41

14 MR. PERLSON: Q. [REDACTED] [REDACTED]

15 [REDACTED] 14:42

16 A On the advice and direction of my counsel, I 14:42

17 respectfully decline to answer, and I assert the 14:42

18 rights guaranteed to me under the Fifth Amendment to 14:42

19 the Constitution of the United States. 14:42

20 Q [REDACTED] [REDACTED]

21 [REDACTED] 14:42

22 A On the advice and direction of my counsel, I 14:42

23 respectfully decline to answer, and I assert the 14:42

24 rights guaranteed to me under the Fifth Amendment to 14:42

25 the Constitution of the United States. 14:42

1 Q Now, you [REDACTED] [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED] 14:43

6 Is that your understanding? 14:43

7 A On the advice and direction of my counsel, I 14:43  
8 respectfully decline to answer, and I assert the 14:43  
9 rights guaranteed to me under the Fifth Amendment to 14:43  
10 the Constitution of the United States. 14:43

11 Q Well, by doing that, you could reclaim full 14:43  
12 ownership of Tyto at any time; right? 14:43

13 A On the advice and direction of my counsel, I 14:43  
14 respectfully decline to answer, and I assert the 14:43  
15 rights guaranteed to me under the Fifth Amendment to 14:43  
16 the Constitution of the United States. 14:43

17 Q And then, if you look -- and [REDACTED] [REDACTED]  
[REDACTED] if it's useful. 14:43

19 A (Witness complies.) 14:43

20 [REDACTED]  
[REDACTED] 14:43

22 A Do you want me to read the section? 14:44

23 Q Well, I'm just asking you a question. 14:44

24 A On the advice and direction of my counsel, I 14:44  
25 respectfully decline to answer, and I assert the 14:44

1 rights guaranteed to me under the Fifth Amendment to 14:44  
2 the Constitution of the United States. 14:44  
3 Q [REDACTED] [REDACTED]  
4 [REDACTED] 14:44  
5 A On the advice and direction of my counsel, I 14:44  
6 respectfully decline to answer, and I assert the 14:44  
7 rights guaranteed to me under the Fifth Amendment to 14:44  
8 the Constitution of the United States. 14:44  
9 Q [REDACTED] 14:44  
10 A On the advice and direction of my counsel, I 14:44  
11 respectfully decline to answer, and I assert the 14:44  
12 rights guaranteed to me under the Fifth Amendment to 14:44  
13 the Constitution of the United States. 14:44  
14 Q [REDACTED] [REDACTED]  
15 [REDACTED] [REDACTED]  
16 [REDACTED] [REDACTED]  
17 [REDACTED] 14:44  
18 A On the advice and direction of my counsel, I 14:44  
19 respectfully decline to answer, and I assert the 14:44  
20 rights guaranteed to me under the Fifth Amendment to 14:44  
21 the Constitution of the United States. 14:45  
22 Q If you'll look on [REDACTED] 14:45  
23 A (Witness complies.) 14:45  
24 Q [REDACTED] 14:45  
25 Do you see that? 14:45

1 A I see the -- 14:45

2 Q [REDACTED] 14:45

3 pers- -- I'm sorry. 14:45

4 She's a paralegal for your personal attorney, 14:45

5 John Gardner; is that right? 14:45

6 A On the advice and direction of my counsel, I 14:45

7 respectfully decline to answer, and I assert the 14:45

8 rights guaranteed to me under the Fifth Amendment to 14:45

9 the Constitution of the United States. 14:45

10 Q If you'll look on [REDACTED] 14:45

11 A (Witness complies.) 14:45

12 Q There is an [REDACTED] 14:45

13 Do you see that? 14:45

14 A I see it. 14:45

15 Q [REDACTED] 14:45

16 Do you see that? 14:46

17 A I see the page, yep. 14:46

18 Q [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] 14:46

22 Do you see that? 14:46

23 A I see that. 14:46

24 Q [REDACTED] [REDACTED]

[REDACTED] [REDACTED] 14:46

1           A    On the advice and direction of my counsel, I           14:46  
2   respectfully decline to answer, and I assert the           14:46  
3   rights guaranteed to me under the Fifth Amendment to           14:46  
4   the Constitution of the United States.           14:46

5           [REDACTED]           [REDACTED]  
6           [REDACTED]           14:46

7           A    On the advice and direction of my counsel, I           14:46  
8   respectfully decline to answer, and I assert the           14:46  
9   rights guaranteed to me under the Fifth Amendment to           14:46  
10   the Constitution of the United States.           14:47

11           [REDACTED]           [REDACTED]  
12           [REDACTED]           [REDACTED]  
13           [REDACTED]           14:47

14           A    On the advice and direction of my counsel, I           14:47  
15   respectfully decline to answer, and I assert the           14:47  
16   rights guaranteed to me under the Fifth Amendment to           14:47  
17   the Constitution of the United States.           14:47

18           [REDACTED]           [REDACTED]  
19           [REDACTED]           [REDACTED]  
20           [REDACTED]           [REDACTED]  
21           [REDACTED]           14:47

22           A    On the advice and direction of my counsel, I           14:47  
23   respectfully decline to answer, and I assert the           14:47  
24   rights guaranteed to me under the Fifth Amendment to           14:47  
25   the Constitution of the United States.           14:47



1 Q Did you tell Lior Ron that you had 14:47  
2 involvement with Tyto Lidar? 14:48  
3 A On the advice and direction of my counsel, I 14:48  
4 respectfully decline to answer, and I assert the 14:48  
5 rights guaranteed to me under the Fifth Amendment to 14:48  
6 the Constitution of the United States. 14:48  
7 Q Did you tell anybody who was involved in the 14:48  
8 acquisition of Tyto Lidar by Otto that you, in fact, 14:48  
9 had an ownership and controlling interest of Tyto 14:48  
10 Lidar? 14:48  
11 A On the advice and direction of my counsel, I 14:48  
12 respectfully decline to answer, and I assert the 14:48  
13 rights guaranteed to me under the Fifth Amendment to 14:48  
14 the Constitution of the United States. 14:48  
15 Q And isn't it true that you actually 14:48  
16 repeatedly denied having involve- -- involvement in 14:48  
17 Tyto Lidar? 14:48  
18 A On the advice and direction of my counsel, I 14:48  
19 respectfully decline to answer, and I assert the 14:48  
20 rights guaranteed to me under the Fifth Amendment to 14:48  
21 the Constitution of the United States. 14:49  
22 Q Now, in -- when -- during the negotiations 14:49  
23 with -- in the Asset Purchase Agreement with Tyto 14:49  
24 Lidar, you were, in fact, negotiating that agreement 14:49  
25 on behalf of Ottomotto; isn't that right? 14:49

1           A    On the advice and direction of my counsel, I           14:49  
2   respectfully decline to answer, and I assert the           14:49  
3   rights guaranteed to me under the Fifth Amendment to           14:49  
4   the Constitution of the United States.           14:49

5           Q    And don't you think you should have told           14:49  
6   somebody at Otto or Uber that you had involvement or           14:49  
7   ownership or controlling interest in Tyto when that           14:49  
8   acquisition was being negotiated?           14:49

9           A    On the advice and direction of my counsel, I           14:49  
10   respectfully decline to answer, and I assert the           14:49  
11   rights guaranteed to me under the Fifth Amendment to           14:49  
12   the Constitution of the United States.           14:49

13          Q    Don't you think that -- that your negotiating           14:49  
14   on behalf of Ottomotto, while you had an ownership and           14:50  
15   controlling interest in Tyto, smacks of self-dealing?           14:50

16          A    On the advice and direction of my counsel, I           14:50  
17   respectfully decline to answer, and I assert the           14:50  
18   rights guaranteed to me under the Fifth Amendment to           14:50  
19   the Constitution of the United States.           14:50

20          Q    Do you think that's unethical?           14:50

21          A    On the advice and direction of my counsel, I           14:50  
22   respectfully decline to answer, and I assert the           14:50  
23   rights guaranteed to me under the Fifth Amendment to           14:50  
24   the Constitution of the United States.           14:50

25          Q    Now, are you aware that the Asset Purchase           14:50

1 Agreement between Tyto Lidar and Ottomotto excluded 14:50  
2 certain assets from the purchase? 14:50  
3 A On the advice and direction of my counsel, I 14:50  
4 respectfully decline to answer, and I assert the 14:50  
5 rights guaranteed to me under the Fifth Amendment to 14:50  
6 the Constitution of the United States. 14:52  
7 Q Do you understand that the -- hold on a 14:52  
8 second. 14:52  
9 Do you understand that, among the assets 14:52  
10 excluded from the sale of Tyto Lidar to Ottomotto, was 14:52  
11 all e-mail accounts and e-mail archives owned by Tyto 14:52  
12 Lidar? 14:52  
13 A On the advice and direction of my counsel, I 14:52  
14 respectfully decline to answer, and I assert the 14:52  
15 rights guaranteed to me under the Fifth Amendment to 14:52  
16 the Constitution of the United States. 14:52  
17 Q Why would -- why would e-mail accounts and 14:52  
18 e-mail archives owned by Tyto Lidar, LLC, be excluded 14:53  
19 from this -- the sale? 14:53  
20 MR. RADKE: Objection to form. 14:53  
21 THE WITNESS: On the advice and direction of 14:53  
22 my counsel, I respectfully decline to answer, and I 14:53  
23 assert the rights guaranteed to me under the Fifth 14:53  
24 Amendment to the Constitution of the United States. 14:53  
25 MR. PERLSON: Q. Was that something that you 14:53

1 requested? 14:53

2 MR. RADKE: Objection to form. 14:53

3 THE WITNESS: On the advice and direction of 14:53

4 my counsel, I respectfully decline to answer, and I 14:53

5 assert the rights guaranteed to me under the Fifth 14:53

6 Amendment to the Constitution of the United States. 14:53

7 MR. PERLSON: Q. Do you know where that -- 14:53

8 where that e-mail is today? 14:53

9 MR. RADKE: Objection to the form. 14:53

10 THE WITNESS: On the advice and direction of 14:54

11 my counsel, I respectfully decline to answer, and I 14:54

12 assert the rights guaranteed to me under the Fifth 14:54

13 Amendment to the Constitution of the United States. 14:54

14 MR. PERLSON: Q. Did you want the 14:54

15 acquisition to exclude e-mail accounts and e-mail 14:54

16 archives in order to conceal your involvement with 14:54

17 Tyto Lidar, LLC? 14:54

18 MS. DUNN: Form. 14:54

19 MR. RADKE: Objection to form. 14:54

20 THE WITNESS: On the advice and direction of 14:54

21 my counsel, I respectfully decline to answer, and I 14:54

22 assert the rights guaranteed to me under the Fifth 14:54

23 Amendment to the Constitution of the United States. 14:54

24 MR. PERLSON: Q. Have the -- have the Tyto 14:54

25 Lidar e-mail accounts and e-mail archives been 14:54

1 destroyed? 14:54

2 A On the advice and direction of my counsel, I 14:54

3 respectfully decline to answer, and I assert the 14:54

4 rights guaranteed to me under the Fifth Amendment to 14:54

5 the Constitution of the United States. 14:54

6 Q Do you know what I'm referring to when I 14:54

7 refer to the Chauffeur Bonus Plan? 14:55

8 A On the advice and direction of my counsel, I 14:55

9 respectfully decline to answer, and I assert the 14:55

10 rights guaranteed to me under the Fifth Amendment to 14:55

11 the Constitution of the United States. 14:55

12 Q Was it your understanding that under the 14:55

13 Chauffeur Business [sic] Plan, there was to be a first 14:55

14 amount determined by calculating the product of the 14:55

15 participant's first bonus allocation percentage as of 14:55

16 the first exchange date, and the applicable pro- -- 14:55

17 project valuation? 14:55

18 MR. RADKE: Objection to form. 14:56

19 MS. DUNN: Form. 14:56

20 THE WITNESS: On the advice and direction of 14:56

21 my counsel, I respectfully decline to answer, and I 14:56

22 assert the rights guaranteed to me under the Fifth 14:56

23 Amendment to the Constitution of the United States. 14:56

24 MR. PERLSON: Sorry. Why don't we take a 14:56

25 break. I'm having trouble finding something. 14:57

1 the Constitution of the United States. 17:29

2 Q Okay. And they started something called 17:29

3 Nuro, which is also a self-driving company; isn't that 17:29

4 right? 17:29

5 A On the advice and direction of my counsel, I 17:29

6 respectfully decline to answer, and I assert the 17:29

7 rights guaranteed to me under the Fifth Amendment to 17:29

8 the Constitution of the United States. 17:29

9 Q Okay. So, in fact, nearly all of the leaders 17:29

10 of Chauffeur got out by 2016? 17:29

11 A On the advice and direction of my counsel, I 17:29

12 respectfully decline to answer, and I assert the 17:29

13 rights guaranteed to me under the Fifth Amendment to 17:29

14 the Constitution of the United States. 17:29

15 Q Okay. And nearly all these folks went to go 17:29

16 work for competitors to Waymo, working in the 17:29

17 self-driving space; isn't that right? 17:29

18 MR. PERLSON: Objection; form. 17:29

19 THE WITNESS: On the advice and direction of 17:29

20 my counsel, I respectfully decline to answer, and I 17:29

21 assert the rights guaranteed to me under the Fifth 17:29

22 Amendment to the Constitution of the United States. 17:29

23 MS. DUNN: All right. 17:29

24 Q Waymo's counsel asked you a number of 17:30

25 questions about Odin Wave and Tyto Lidar. 17:30

1 Do you remember that? 17:30

2 A I remember the -- 17:30

3 Q Do you remember -- 17:30

4 A -- events earlier today, yes. 17:30

5 Q Mr. Levandowski, you never told anyone at 17:30

6 Uber, including Travis Kalanick, of any financial 17:30

7 interests you had in Odin Wave; isn't that true? 17:30

8 MR. RADKE: Object to form. 17:30

9 THE WITNESS: On the advice and direction of 17:30

10 my counsel, I respectfully decline to answer, and I 17:30

11 assert the rights guaranteed to me under the Fifth 17:30

12 Amendment to the Constitution of the United States. 17:30

13 MS. DUNN: Q. And you never told anyone at 17:30

14 Uber, including Travis Kalanick, of any financial 17:30

15 interests that your immediate family members had in 17:30

16 Odin Wave; isn't that true? 17:30

17 MR. RADKE: Object to form. 17:30

18 THE WITNESS: On the advice and direction of 17:30

19 my counsel, I respectfully decline to answer, and I 17:30

20 assert the rights guaranteed to me under the Fifth 17:30

21 Amendment to the Constitution of the United States. 17:30

22 MS. DUNN: Q. You never told anyone at Uber, 17:30

23 including Mr. Kalanick, of any financial interests you 17:30

24 or your immediate family members had in Tyto Lidar; 17:31

25 isn't that right? 17:31

1 MR. RADKE: Object to form. 17:31

2 THE WITNESS: On the advice and direction of 17:31

3 my counsel, I respectfully decline to answer, and I 17:31

4 assert the rights guaranteed to me under the Fifth 17:31

5 Amendment to the Constitution of the United States. 17:31

6 MS. DUNN: Q. You never told anyone at Uber, 17:31

7 including Mr. Kalanick, of any financial interests you 17:31

8 or your immediate family members had in the Sandstone 17:31

9 Group; did you? 17:31

10 MR. RADKE: Object to form. 17:31

11 THE WITNESS: On the advice and direction of 17:31

12 my counsel, I respectfully decline to answer, and I 17:31

13 assert the rights guaranteed to me under the Fifth 17:31

14 Amendment to the Constitution of the United States. 17:31

15 MS. DUNN: Q. You never told anyone at Uber, 17:31

16 including Mr. Kalanick, of any financial interests you 17:31

17 had in something called the [REDACTED] isn't that 17:31

18 true? 17:31

19 MR. RADKE: Object to the form. 17:31

20 THE WITNESS: On the advice and direction of 17:31

21 my counsel, I respectfully decline to answer, and I 17:31

22 assert the rights guaranteed to me under the Fifth 17:31

23 Amendment to the Constitution of the United States. 17:31

24 MS. DUNN: Q. And you never told anyone at 17:31

25 Uber of any financial interests that any of your 17:31



1 immediate family members had in what's called the 17:31  
2 [REDACTED] isn't that right? 17:32  
3 MR. RADKE: Object to form. 17:32  
4 THE WITNESS: On the advice and direction of 17:32  
5 my counsel, I respectfully decline to answer, and I 17:32  
6 assert the rights guaranteed to me under the Fifth 17:32  
7 Amendment to the Constitution of the United States. 17:32  
8 MS. DUNN: Q. You concealed from Uber that 17:32  
9 [REDACTED] would benefit from Otto's purchase of 17:32  
10 Tyto's assets which Uber had funded; isn't that true? 17:32  
11 MR. RADKE: Object to the form. 17:32  
12 THE WITNESS: On the advice and direction of 17:32  
13 my counsel, I respectfully decline to answer, and I 17:32  
14 assert the rights guaranteed to me under the Fifth 17:32  
15 Amendment to the Constitution of the United States. 17:32  
16 MS. DUNN: Okay. 17:32  
17 Q And your financial interests should have been 17:32  
18 disclosed to Uber; shouldn't they have? 17:32  
19 MR. RADKE: Object to form. 17:32  
20 THE WITNESS: On the advice and direction of 17:32  
21 my counsel, I respectfully decline to answer, and I 17:32  
22 assert the risks -- I assert the rights guaranteed to 17:32  
23 me under the Fifth Amendment to the Constitution of 17:32  
24 the United States. 17:32  
25 MS. DUNN: Q. Mr. Levandowski, you're aware 17:32